

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 05-10113-DPW
)
REYLANDO REYES,)
)
 Defendant.)

**GOVERNMENT'S MEMORANDUM OF LAW IN OPPOSITION
TO DEFENDANT'S MOTION TO SUPPRESS FRUITS OF
ILLEGAL STOP AND SEARCH AND STATEMENTS**

The United States, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Antoinette E.M. Leoney, submits this memorandum of law in opposition to Defendant's Motion to Suppress Fruits of Illegal Stop and Search and Statements in the above-captioned matter.

Defendant Reylando Reyes ("Reyes") argues for the suppression of a single bullet and other items seized, as well as statements made in the course of an unlawful stop and search on February 27, 2005. See Def.'s Motion to Suppress at 1. As grounds for suppression, Reyes states that the evidence was obtained in violation of his rights under the Fourth and Fifth Amendments to the U.S. Constitution inasmuch as the police directed Reyes to start and drive a motor vehicle with the knowledge that his license had been revoked, thereby creating the crime which justified the subsequent stop and search. Id at 4. Accordingly, Reyes avers that the single bullet, other items seized and statements made to police officers were fruits of an illegal stop, search and seizure and must be suppressed. Id.

at 6. Reyes states that he was not advised of his Miranda rights as additional support for the suppression of statements made to police officers at the time of the illegal stop, search and seizure and as grounds for suppression of statements made to agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") following arrest on a federal complaint. Id at 7.

Reyes' arguments runs counter to both the facts and the governing case law, as the stop of the vehicle Reyes was operating was grounded firmly in the reasonable suspicion necessary to make a traffic stop. The subsequent search of his person and seizure of a single bullet, one bag of marijuana and two bags of crack were justified by Officer Cogavin's concern for his own and Officer Laham's safety.

FACTUAL SUMMARY¹

On the afternoon of February 27, 2005, Officer Timothy G. Laham and Officer Dennis Cogavin of the Boston Police Department, Area B-3, were driving north on Bernard Street during the course of their patrol of Dorchester, Massachusetts. See Affidavits of Officer Dennis Cogavin and Officer Timothy G. Laham, attached hereto as Exhibit A & B. The two officers were dressed in plain clothes and driving in an unmarked patrol car, as was typical of

¹ The factual summary is based on the attached exhibits, which are denoted here as Exhibits A through G. The government also anticipates that these facts will be elicited at any suppression hearing, as well as, at trial.

their patrol. Id. Officer Cogavin was driving that day, and Officer Laham was seated on the passenger side. See Exhibit A. In the vicinity of the intersection of Bernard Street and Harvard Street, Officer Cogavin slowed the car in anticipation of a stop sign and intersection ahead. See Exhibits A and B. There, Officer Laham observed the Reyes, sitting in the driver's seat of a tan Ford Taurus with Florida license plate W88GVD facing south on Bernard Street. Id. Reyes, was apparently known to both officers as an "impact player" in the community, who had a lengthy criminal record from prior incidents, as well as information from fellow officers filed in Field Interrogation/Observation/Frisk and/or Search reports ("FIOS reports"). See Exhibits A, B, D and G. As a result, both Officer Laham and Officer Cogavin were able to identify Reyes. See Exhibits A and B. Upon seeing Reyes, Officer Laham recalled that Reyes' driver's license had been revoked and said as much to his partner, Officer Cogavin. Id. Officer Laham confirmed this information by checking a three-ring binder they had in their patrol car. The binder contained copies of various Boston Police Department mugshot forms of known neighborhood impact players. Id. Reyes' mugshot form was in the binder, and it showed that he had previously been arrested for operating a vehicle after

revocation.² See Exhibits A and B. However, Officer Laham recognized from the date of the mugshot form that this information was not current. Id.

Consequently, at approximately 2:28 p.m., Officer Laham began a query on the patrol car's mobile data computer terminal ("MDT") to determine the current status of Reyes' driver's license. See Exhibits A, B and E. The officers also ran an outstanding warrants check on Reyes at approximately the same time. See Exhibit F. Prior to Officer Laham finishing the MDT query, the two officers observed Reyes pull away from the curb and drive south on Bernard Street. See Exhibits A and B. Needless to say, the officers are adamant that they did not pulled up behind Reyes while he sat in his vehicle with the motor shut off, and they did not instruct him to move or start and drive the vehicle. Id.

Officer Cogavin stopped at a stop sign and then entered the intersection of Bernard Street and Harvard Street in order to make a U-turn. Id. Having turned around, Officer Cogavin was proceeding south on Bernard Street upon completion of the MDT query at approximately 2:30 p.m. Id. The MDT query confirmed that Reyes' driver's license had been revoked by the Massachusetts Registry of Motor Vehicles, and, as such, Reyes'

²The three-ring binder had been created by Officers Cogavin and Laham. See Exhibit A.

was driving without a license. See Exhibits A, B and the MDT Cad Sheet Log, attached hereto as Exhibit E.

Officer Cogavin turned on the lights and siren of the unmarked car and directed Reyes to pull over at the corner of Talbot Avenue and Colonial Avenue in order to conduct a traffic stop. See Exhibits A and B. Both officers exited the unmarked patrol car. Id. As Officer Laham covered the passenger's side of Reyes' car, Officer Cogavin approached the driver's side and asked Reyes for his license and registration. See Exhibits A, B, and D. Reyes replied that he did not have a license and that it was suspended. Id.

For officers' safety, while Reyes was seated in his vehicle, Officer Cogavin asked Reyes if "he had anything on him," to which Reyes responded that he had "some weed". Id. Officer Cogavin then asked Reyes to exit his vehicle and step to the rear. Id. In the process of patting down Reyes in search of the marijuana, Officer Cogavin discovered a nine millimeter bullet in the left front pocket of Reyes' jeans. Id. At that point, he handcuffed Reyes and took him into custody. Id. After removing the bullet from Reyes' pocket Officer Cogavin informed Reyes that he was being charged with possession of ammunition. Id. Reyes replied that he had just found the bullet in front of his house and forgot about it. Id.

Officer Cogavin resumed his search of Reyes and found a bag

of marijuana and two bags of crack cocaine in the left front pocket of the sweat pants Reyes wore under his jeans. See Exhibits A and B. Officers Cogavin and Laham remained with Reyes as they waited for a police cruiser to transport Reyes to Area B-3. Id. The officers did not read Reyes his rights at the scene, and they are adamant that they did not interrogate Reyes following his arrest. Id.

On April 25, 2005, ATF Special Agent Lisa A. Rudnicki obtained a federal criminal complaint and arrest warrant for Reyes, charging him with being a Felon in Possession of Ammunition, in violation of 18 U.S.C. §922(g)(1). See Affidavit of Special Agent Lisa A. Rudnicki, attached hereto as Exhibit C.

On April 26, 2005, Special Agents Rudnicki, Philip Ball and John Paolillo, accompanied by several Boston Police Officers, approached Reyes inside the Dorchester District Courthouse where he was waiting for his state court case to be called. Id. SA Rudnicki approached Reyes, identified herself as an ATF agent and advised him of the federal arrest warrant. Id. SA Paolillo and SA Ball placed Reyes into handcuffs and led Reyes to an awaiting ATF vehicle. Id. An initial pat search of Reyes was performed, but it did not reveal any contraband on his person. Id.

Once in the vehicle, SA Rudnicki advised Reyes of his *Miranda* rights in the presence of both SA Paolillo and SA Ball. Id.

During transport, despite having passed through the Dorchester District Court security checkpoint prior to arrest and despite the initial pat search after arrest, Reyes revealed that he had a knife concealed in the front of his pants and that it was causing him discomfort. See Exhibit C. SA Paolillo recovered a four inch double-edged plastic knife from inside the front of Reyes' pants. Id.

While in the vehicle, SA Rudnicki also informed Reyes of the federal charges pending against him. See Exhibits C and G. Reyes was not asked any questions relative to the pending federal charges, as he had already obtained legal counsel on the originating state charges. See Exhibit C. SA Rudnicki, however, did show Reyes a copy of his Massachusetts Board of Probation Criminal History spanning the past twenty years and containing numerous prior arrests and convictions which Reyes confirmed were accurately reflected on the record. See Exhibits C and G. SA Rudnicki also mentioned to Reyes that his arrest had gone more smoothly than she had anticipated. See Exhibit C. Reyes stated something to the effect that when he saw six guys approaching him, he presumed that they were police officers and knew enough not to resist. Id. SA Rudnicki responded by telling Reyes that she had sought additional support in anticipation of Reyes being non-compliant, to which Reyes responded, "You had a good plan." Id.

Reyes was taken to the ATF office for processing, and then transported to the U.S. Marshal Service to await his initial appearance in federal court. Id.

SA Phillip Ball placed Reyes, who was dressed all in black, in the U.S. Marshal's cell block. Id. At that time, SA Ball asked Reyes what the reason was for his wearing all black. Id. Reyes responded with something to the effect that, "I need to maintain my tactical advantage on the street ... black on black helps me blend in with the shadows." Id.

ARGUMENT

One bullet, one bag of marijuana, and two bags of crack cocaine seized from the person of Reylando Reyes, a/k/a Ray Rise, following a routine traffic stop on February 25, 2005, should not be suppressed because they are the fruits of a legal search. First, Officers Laham and Cogavin affected a valid traffic stop when they observed Reyes operating a motor vehicle after his license had been revoked. Second, Officer Cogavin's subsequent search of Reyes' person was justified as the momentary intrusion into Reyes' privacy paled in comparison to the safety risks perceived by the officers. The seizure effectuated did not exceed the permissible scope of the Terry stop.

Further, there is simply no plausible factual or legal support for Reyes' claim that Officers Laham and Cogavin created a crime in order to justify the stop and search of his person.

One bullet, one bag of marijuana and two bags of crack cocaine obtained as a result of the lawful traffic stop and subsequent search and seizure are admissible and Reyes' motion to suppress should, therefore, be denied.

I. AT THE TIME OF THE TRAFFIC STOP, OFFICERS LAHAM AND COGAVIN HAD SUFFICIENT PROBABLE CAUSE TO AFFECT AN ARREST. THUS, SUBSEQUENT SEARCH AND SEIZURE OF REYES' PERSON WAS LEGAL AND EVIDENCE AND STATEMENTS OBTAINED THERE FROM ARE ADMISSIBLE.

In Terry v. Ohio, the Supreme Court determined that the Fourth Amendment regulates but does not prohibit temporary detentions that fall short of a full scale arrest. See Terry, 392 U.S. 1, 88 (1968). A traffic stop embodies such detention of the vehicle and its occupants. See United States v. Chhien, 266 F.3d 1, 5 (1st Cir. 2001).

"It therefore constitutes a seizure within the purview of the Fourth Amendment. Delaware v. Prouse, 440 U.S. 648, 653 (1979). This means, of course, that the stop must be supported by a reasonable and articulable suspicion of criminal activity, see Berkemer v. McCarty, 468 U.S. 420, 439 (1984), and that the detention must be reasonable under the circumstances, Whren v. U.S., 517 U.S. 806 (1996)."

Id. To determine whether a stop is supported by the requisite reasonable suspicion in the context of a traffic stop, the court must first evaluate whether the officers' initial interference with the defendant was justified; second, the court must ask whether the ensuing search was "reasonably related in scope to the circumstances which justified the officers' initial interference." United States v. Ivery, 427 F.3d 69, 72 (1st Cir.

2005); accord United States v. Nee, 261 F.3d 79, 83 (1st Cir. 2001)(citing Terry, 392 U.S. at 19-20). Under the second part of the test, a search is considered reasonable where a law enforcement officer conducts a pat down to find weapons he reasonably believes or suspects are then in the possession of the person he has accosted." Ivery, 427 F.3d at 72 (quoting Ybarra v. Illinois, 444 U.S. 85, 93 (1979)). The First Circuit has held that the second part of this two part test imposes a dual requirement for a permissible warrantless search for weapons: (1) the officers must have actually harbored a suspicion that the suspect was armed; and (2) that suspicion must have been reliable under the circumstances. See Ivery, 427 F.3d at 72, (citing United States v. Lott, 870 F.2d 778, 783-84 (1st Cir. 1989).

In the instant case, Officer Laham and Officer Cogavin had more than the reasonable and articulable suspicion of criminal activity required by the first part of the test to affect a temporary detention of Reyes and the vehicle. According to Massachusetts state law,

"No person shall operate on the ways of the commonwealth or elsewhere, if the registrar...[has] revoked any license to operate a motor vehicle issued to him under this chapter...and such license...has not been restored or a new license has not been issued to him."

Mass. Gen. Laws ch. 90, § 10 (2006). Officer Laham took care to first confirm his suspicion that Reyes' was operating a vehicle despite the revocation of his license by checking his binder of

known neighborhood "impact players" and then affirming the result by querying Reyes' current status on the patrol car's mobile data computer terminal ("MDT"). Yet, before the query was completed, Reyes pulled away from the curb and took off driving. At no time, while Reyes was parked at the curb, did the officers pull up behind him and order him to move his vehicle. It was only after Reyes began to drive, and after the officers had confirmed the status of his license, did the officers put their blue lights and siren on and stop Reyes. Therefore, at the time Officer Laham and Officer Cogavin stopped Reyes, he was in actual violation of state law and engaged in criminal activity. The officers' initial interference with Reyes was entirely justified, as they had sufficient probable cause to affect an arrest.

In satisfaction of the second part of the test the government points to the law as stated above: a search is considered reasonable where a law enforcement officer conducts a pat down to find weapons he reasonably believes or suspects are then in the possession of the person he has accosted. See Ivery, 427 F.3d at 72. In posing the question, "Do you have anything on you?" to Reyes, Officer Cogavin was concerned about safety for himself and his partner. Police policy - and common sense - required that the officers ascertain whether or not Reyes was armed. Especially here. Because, based on the officers' past experience with the Reyes and information obtained from other

officers and FIOS reports, Officers Cogavin and Laham were keenly aware that Reyes had a lengthy criminal record, involving violent crimes and drug offenses. In United States v. Gilliard, the First Circuit found that "firearms are 'tools of the trade[,]'" in reference to the sale of narcotics. See Gilliard, 847 F.2d 21, 25 (1st Cir. 1988)(quoting United States v. Oates, 560 F.2d 45, 62 (2nd Cir. 1977)). Given his concern for his own and his partner's safety, Officer Cogavin reasonably concluded that Reyes may have been armed. See United States v. Stanley, 915 F.2d 54, 57 (1st Cir. 1990). Thus, it was entirely reasonable for Officer Cogavin to suspect that Reyes was in possession of a weapon and would have been entirely reasonable to perform a pat down on that suspicion alone. Here, however, Officer Cogavin asked Reyes if he had anything on him. Reyes' admission that he was carrying contraband, marijuana, only strengthens Officer Cogavin's justification for conducting a pat down. Upon Reyes' admission, in accordance with police policy, Officer Cogavin performed a pat down in search of the marijuana. Touching what felt like a bullet in Reyes pocket prompted Officer Cogavin to handcuff Reyes immediately, again, acting out of concern for safety.

The Court must consider the circumstances and the progression of Officer Cogavin's interaction with Reyes as a whole. See Stanley, 915 F.2d at 55 (citing United States v. Trullo, 809 F.2d 108, 111 (1st Cir. 1987)). Applying this

standard of review, it is clear that the search of Reyes' person was reasonably related in scope to the circumstances which justified the officers' initial interference.

Having shown that the stop and search of Reyes did not violate the Fourth Amendment, the evidence seized from Reyes and the statements made to Officer Cogavin cannot be, and should not be, considered fruits of an illegal search. Because the traffic stop and subsequent search and seizure was lawful, Reyes has concocted a meritless claim that Officers Laham and Cogavin created the criminal conduct to legitimize their actions. In the face of Officer Laham's and Officer Cogavin's knowledge, experience and the detailed nature of their report and filings, Reyes' version of the traffic stop, search and seizure is simply implausible. Thus the bullet, one bag of marijuana, two bags of crack cocaine and any statements Reyes made to the officers on February 25, 2005 are admissible.

II. WHERE REYES WAS ADVISED OF HIS MIRANDA RIGHTS UPON BEING TAKEN INTO FEDERAL CUSTODY, HIS STATEMENTS TO THE ATF AGENTS ARE ADMISSIBLE.

Reyes' argument that statements made following his arrest on a federal complaint must be suppressed because the questioning happened prior to the officers advising Reyes of his *Miranda* warnings is unavailing. Contrary to Reyes claim, none of the agents questioned or interrogated Reyes as to the circumstances of his arrest and the underlying charges. And, of course, the

single question SA Ball posed to Reyes, asking Reyes why he wore all black, does not relate to the federal charges pending against Reyes. Regardless of what was subsequently asked of him, immediately after exiting the Dorchester District Courthouse, Reyes was "informed of his right to remain silent, that anything he said could be used against him in a court of law, that he had the right to have a lawyer present during questioning, and that a lawyer would be provided for him if he could not afford a lawyer." See Miranda v. Arizona, 384 U.S. 436 (1966).

Accordingly, statements made by Reyes' are admissible and the government is entitled use such statements against him in court.

CONCLUSION

For the above stated reasons the government respectfully requests that this Court deny the Defendant's Motion to Suppress Fruits of Illegal Stop and Search and Statements.

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/ Antoinette E.M. Leoney
ANTOINETTE E.M. LEONEY
Assistant U.S. Attorney
(617) 748-3103

Dated: April 14, 2006

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts
April 14, 2005

I, Antoinette E.M. Leoney, Assistant U.S. Attorney, certify

that I caused a copy of the foregoing to be served by electronic notice to Stylianus Sinnis, Esq., Federal Defender's Office, 408 Atlantic Avenue, 3rd Floor, Boston, MA 02210, the counsel of record.

/s/Antoinette E.M. Leoney
ANTOINETTE E.M. LEONEY

EXHIBIT A

AFFIDAVIT

I, Dennis Cogavin, having been duly sworn, do hereby depose and state as follows:

1. I am an police officer with the Boston Police Department, and have been so for approximately 4 years. Prior to becoming a Boston Police Officer, I was a Dedham, MA, Police Officer for 6 years. I am currently assigned to the Youth Violence Strike Force/Gang Unit, where my duties include proactive patrol of high crime areas or "hot spots," intelligence gathering and aiding the district station with any resources we can provide. Since becoming a police officer I have also served in the Rapid Response Unit, the Neighborhood Service Unit, Patrol Wagon duties, and the Anti-Crime Unit. In February of 2005, I was assigned to the Anti-Crime Unit at Area B-3 to patrol the area of Dorchester, Massachusetts. My duties included, among other things, crime suppression, intelligence gathering, and plain clothes proactive policing. At that time, my partner was Officer Timothy Laham.

2. I submit this affidavit in support of the government's Memorandum of Law in Opposition to Defendant Reylando Reyes' Motion to Suppress Fruits of Illegal Stop and Search and Statements. The facts herein as stated below are personally known to me as a result of my involvement in the arrest of

Reylando Reyes, a/k/a Ray Rise ("Reyes") incident to a traffic stop on the afternoon of February 27, 2005.

3. On February 27, 2005, during the course of my patrolling duties, I observed a tan Ford Taurus with Florida license plate W88GVD facing south on Bernard Street in the vicinity of the intersection of Bernard Street and Harvard Street. I was driving the unmarked patrol car that day and Officer Laham was seated in the front passenger seat, and we were dressed in plain clothes.

4. As Reyes was known to me and to Officer Laham from prior incidents, as well as through information from fellow officers and Field Interrogation/Observation/Frisk and/or Search reports, we were able to identify that the individual sitting in the driver's seat was Reyes.

5. Officer Laham stated that he believed that Reyes' driver's license had been suspended or revoked, and he confirmed this information by checking the 3-ring binder that we had in our patrol car. This 3-ring binder contained copies of Boston Police Department mugshot forms of known neighborhood "impact players". This binder was created by me and Officer Laham. Reyes' mugshot form showed that he had been arrested for operating a vehicle after revocation. That information, however, was not current as it had been reported on May 24, 2004. Consequently, at 2:28 p.m., Officer Laham began a query on the patrol car's mobile data computer terminal ("MDT") to determine the current status of

Reyes' driver's license.

6. I have read Reyes' sworn affidavit in support of his suppression motion. And, contrary to Reyes' claim, I and Officer Laham did not pulled up behind Reyes while he sat in his vehicle with the motor shut off, and we did not instruct him to move or start and drive the vehicle.

7. However, prior to Officer Laham finishing the MDT query, Reyes pulled away from the curb and drove south on Bernard Street.

8. After Reyes pulled off, I stopped the patrol car at a stop sign and then entered the intersection of Bernard Street and Harvard Street. I made a u-turn in order to turn the car around and we proceeded south on Bernard Street upon completion of the MDT query at 2:30 p.m. The Registry of Motor Vehicles ("RMV") confirmed that Reyes' driver's license had been revoked and that Reyes was driving without a license.

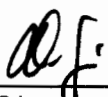
9. At that point, I turned on the lights and siren of our unmarked vehicle and directed Reyes to pull over his vehicle at the corner of Talbot Avenue and Colonial Avenue in order to conduct a traffic stop. My partner and I exited the patrol car. Officer Laham covered the passenger's side of Reyes' car while I approached the driver's side and asked Reyes for his license and registration. Reyes replied that he did not have a license and that it had been suspended.

10. For officers' safety, while Reyes was seated in his vehicle, I asked Reyes if "he had anything on him," to which Reyes responded that he had "some weed". I then requested that Reyes exit the car and step to the rear. In the process of patting down Reyes in search of the marijuana, I discovered a nine millimeter bullet in the left front pocket of Reyes' jeans. At that point, I handcuffed Reyes and took him into custody. After removing the bullet from Reyes' pocket I informed Reyes that he was being charged with possession of ammunition. Reyes replied that he had just found the bullet in front of his house and forgot about it.

11. I resumed my search of Reyes and found a bag of marijuana and two bags of crack cocaine in the left front pocket of the sweat pants Reyes wore under his jeans.

12. Officer Laham and I called for a police cruiser to transport Reyes to the station. Neither of us read Reyes his rights at the scene, nor did we interrogate him following his arrest.

Signed under the pains and penalties of perjury, this 13
day of April, 2006.



Officer Dennis Cogavin
Boston Police Department
Boston, Massachusetts

EXHIBIT B

AFFIDAVIT

I, Timothy G. Laham, having been duly sworn, do hereby depose and state as follows:

1. I am a police officer with the Boston Police Department, and have been so for approximately 5 years. Since becoming a police officer I have served in the Rapid Response Unit, the Neighborhood Service Unit, Patrol Wagon duties, and the Anti-Crime Unit. In February of 2005, I was assigned to the Anti-Crime Unit at Area B-3 to patrol the area of Dorchester, Massachusetts. My duties included, among other things, crime suppression, intelligence gathering, and plain clothes proactive policing. At that time, my partner was Officer Dennis Cogavin, who has since been transfer to the Youth Violence Strike Force/Gang Unit.

2. I submit this affidavit in support of the government's Memorandum of Law in Opposition to Defendant Reylando Reyes' Motion to Suppress Fruits of Illegal Stop and Search and Statements. The facts herein as stated below are personally known to me as a result of my involvement in the arrest of Reylando Reyes, a/k/a Ray Rise ("Reyes") incident to a traffic stop on the afternoon of February 27, 2005.

3. During the course of my patrolling duties, I observed a tan Ford Taurus with Florida license plate W88GVD facing south on

Bernard Street in the vicinity of the intersection of Bernard Street and Harvard Street.

4. As Reyes was known to both me and Officer Dennis Cogavin from prior incidents, as well as through information from fellow officers and Field Interrogation/Observation/Frisk and/or Search reports, we were able to identify that the individual sitting in the driver's seat was Reyes.

5. I recalled that Reyes' driver's license had been revoked and confirmed this information in a three-ring binder we take on patrol containing copies of the Boston Police Department mugshot forms of known neighborhood "impact players". Reyes' mugshot form showed that he had been arrested for operating a vehicle after revocation. That information, however, was not current as it had been reported on May 24, 2004. Consequently, at 2:28 p.m., I began a query on the patrol car's mobile data computer terminal ("MDT") to determine the current status of Reyes' driver's license.

6. I have read Reyes' sworn affidavit in support of his suppression motion. And, contrary to Reyes' claim, Officer Cogavin and I did not pulled up behind Reyes while he sat in his vehicle with the motor shut off, and we did not instruct him to move or start and drive the vehicle.

7. However, prior to finishing my MDT query, Reyes pulled away from the curb and drove south on Bernard Street.

8. After Reyes pulled off, Officer Cogavin stopped at a stop sign and then entered the intersection of Bernard Street and Harvard Street. He made a u-turn in order to turn the car around and we proceeded south on Bernard Street upon completion of the query at 2:30 p.m. The Registry of Motor Vehicles ("RMV") confirmed that Reyes' driver's license had been revoked and that Reyes was driving without at license.

9. Officer Cogavin turned on the lights and siren of our unmarked vehicle and directed Reyes to pull over at the corner of Talbot Avenue and Colonial Avenue in order to conduct a traffic stop. Officer Cogavin and I exited the unmarked patrol car. I covered the passenger's side of the car while Officer Cogavin approached the driver's side and asked Reyes for his license and registration. Reyes replied that he did not have a license and that it had been suspended.

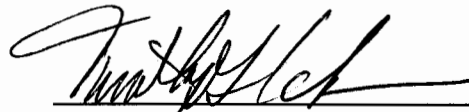
10. Officer Cogavin requested that Reyes exit the car and step to the rear. Officer Cogavin asked Reyes if "he had anything on him", to which Reyes responded that he had "some weed". In the process of patting down Reyes in search of the marijuana, Officer Cogavin discovered a nine millimeter bullet in the left front pocket of Reyes' jeans. Officer Cogavin immediately handcuffed Reyes and took him into custody. After removing the bullet from Reyes' pocket, Officer Cogavin informed Reyes that he was being charged with possession of ammunition.

Reyes replied that he had just found the bullet in his front yard and had forgotten about it.

11. Officer Cogavin resumed his search of Reyes and found a bag of marijuana and two bags of crack cocaine in the left front pocket of the sweat pants Reyes wore under his jeans.

12. Officer Cogavin and I called for a police cruiser to transport Reyes' to the station. Neither of us read Reyes his rights at the scene, nor did we interrogate him following his arrest.

Signed under the pains and penalties of perjury, this 11th day of April, 2006.



Officer Timothy G. Laham
Boston Police Department
Boston, Massachusetts

EXHIBIT C

AFFIDAVIT

I, Lisa A. Rudnick, having been duly sworn, do hereby depose and state as follows:

1. I am a Special Agent with the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") and have been so employed for over 10 years. As a Special Agent, my duties include the investigation of various federal firearms violations, including illegal possession, sale and trafficking of firearms and/or ammunition. I have been assigned to the Boston Field Division of ATF since September of 2002.

2. I submit this affidavit in support of the government's Memorandum of Law in Opposition to Defendant Reylando Reyes' Motion to Suppress Fruits of Illegal Stop and Search and Statements. The facts herein as stated below are personally known to me as a result of my involvement in the arrest of Reyes pursuant to a federal arrest warrant, obtained via criminal complaint for Reyes, charging him with being a Felon in Possession of Ammunition in violation of 18 U.S.C. 922(g)(1).

3. On April 26, 2005, I approached Reyes inside the Dorchester District courthouse where he was waiting for his court case to be called, accompanied by ATF Special Agents Philip Ball and John Paolillo and Boston Police Officers Thomas Griffiths, John Puglia, Timothy Laham and Henriques. I identified myself as an ATF agent and advised him of his federal arrest warrant. SA

Paolillo and SA Ball placed Reyes into handcuffs and led him to the awaiting ATF vehicle.

4. Once outside, an initial pat search of Reyes was performed and did not reveal any contraband on his person.

5. Reyes was first transported to the ATF office to be processed. During transport, despite having passed through the Dorchester District Court security checkpoint prior to arrest and the initial pat search after arrest, Reyes revealed that he had a knife concealed in the front of his pants and that it was causing him discomfort. SA Paolillo recovered a four inch double-edged plastic knife from inside the front of Reyes' pants.

6. I advised Reyes of his Miranda rights in the presence of both SA Paolillo and SA Ball once we had reached the vehicle. During transport, I informed Reyes of the federal charges pending against him as an armed career criminal in felony possession of ammunition.

7. Reyes was not asked any questions relative to the pending federal charges as he had already obtained legal counsel on the originating state charges.

8. I did show Reyes a copy of his Massachusetts Board of Probation Criminal History spanning the past twenty years and containing numerous prior arrests and convictions which Reyes confirmed were accurately reflected on the record.

9. I also mentioned to Reyes that his arrest had gone more

smoothly than I had anticipated. Reyes stated something to the effect that when he saw six guys approaching him, he presumed that they were police officers and knew enough not to resist. I advised Reyes that I had sought additional support in anticipation of his non-compliance, to which Reyes responded, "You had a good plan."

10. Reyes was then transported to the U.S. Marshal Service to await his Initial Appearance at the U.S. District Court. SA Ball placed Reyes, clothed in all black, in the U.S. Marshal's cell block. At that time, SA Ball asked Reyes what the reason was for wearing black. Reyes responded with something to the effect that he needed to maintain his tactical advantage on the street...black on black helped him blend in with the shadows.

Signed under the pains and penalties of perjury, this 10th day of April, 2006.

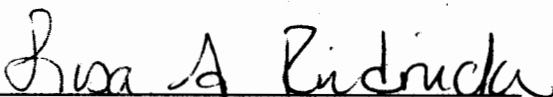

Special Agent Lisa A. Rudnicki
Bureau of Alcohol, Firearms,
Tobacco and Explosives
Boston, Massachusetts

EXHIBIT F

Incident History for: #PD050102585

Entered 02/27/05 14:06:29 BY CK01D 86124
 Dispatched 02/27/05 14:06:29 BY CK01D 86124
 Enroute 02/27/05 14:06:29
 Onscene 02/27/05 14:06:29
 Closed 02/27/05 14:29:53

Initial Type: CD11 Final Type: CD11 (WARRANT SERVICE)

Initial Priority: 9 Final Priority: 9

Disposition: 8B Source: R Primary Unit: CK01D

Police BLK: 0341800 Fire BLK: 3495 EMS BLK: 1003202

Group: 03 Beat: 2 Map Page: 1111

Loc: 64 CAPEN ST ,DO btwn EVANS ST & MAXWELL ST (V)

Name: Addr: Phone:

/140629 (86124) \$OUTSRV ,NO MORE INFORMATION
 /140629 *DISPOS CK01D #86124 COGAVIN, DENNIS C
 #80406 LAHAM, TIMOTHY G
 ,NO MORE INFORMATION
 /140757 *QPERS CK01D T/CK01D
 ,NAME: JAMES, ADRIAN DOB: 051
 278 SEX: M RAC: B SOC: OLN:
 STATE: MA REF#: NIC#: DOB: 051
 /140819 *QVEH CK01D T/CK01D
 ,LIC: 12XB60 VIN: STA
 TE: MA LIY: 05 LIT: PC TAV:
 /141355 *QVEH CK01D T/CK01D
 ,LIC: 8155ZN VIN: STA
 TE: MA LIY: 05 LIT: PC TAV:
 /141552 *QVEH CK01D T/CK01D
 ,LIC: 7673TJ VIN: STA
 TE: MA LIY: 05 LIT: PC TAV:
 /142453 *QVEH CK01D T/CK01D
 ,LIC: 275NWR VIN: STA
 TE: MA LIY: 05 LIT: PC TAV:
 /142517 *QVEH CK01D T/CK01D
 ,LIC: 275NWH VIN: STA
 TE: MA LIY: 05 LIT: PC TAV:
 /142721 *QVEH CK01D T/CK01D

LIC:W88GVD VIN: STA
TE:FL LIT:05 LIT:PC TAV:

2

/142810

*QPERS CK01D T/CK01D
 ,NAME:RISE,REYLANDO
 369 SEX:M RAC:B SOC:
 STATE:MA REF#:
 NIC#:
 DOB:051
 OLN:

/142953 (11391) CLEAR CK01D DSP: 8B - INVEST.PERS/NO PERSON FOUND
 /142953 CLOSE CK01D

Incident History for: #PD050102626

(3)

Entered 02/27/05 14:30:11 BY PDT03 11391
 Dispatched 02/27/05 14:30:11 BY PDT03 11391
 Enroute 02/27/05 14:30:11
 Onscene 02/27/05 14:30:11
 Closed 02/27/05 18:49:38

Initial Type: TSTOP Final Type: ARREST (ARREST O/S NO ASSISTANCE)
 Initial Priority: 9 Final Priority: 7
 Disposition: RPT Source: R Primary Unit: C411D
 Police BLK: 0343801 Fire BLK: 3421 EMS BLK: 1005501
 Group: 03 Beat: 1 Map Page: 1113
 Loc: COLONIAL AV/TALBOT AV ,DO <000,200> (V)
 Name: Addr: Phone:

/143011 (11391) \$OUTSRV ,NO MORE INFORMATION
 /143011 OUTONS CK01D @FLW88GVD
 #86124 COGAVIN, DENNIS C
 #80406 LAHAM, TIMOTHY G
 ,NO MORE INFORMATION
 /143011 QVEH CK01D @FLW88GVD
 #86124 COGAVIN, DENNIS C
 #80406 LAHAM, TIMOTHY G
 ,Vehicle Query

Init: /143214 ASSTER CT55D [TALBOT/COLONIAL]
 #10176 WILLIS JR, ANTHONY
 Dis: /143222 (11480) ASSTER C906 [TALBOT/COLONIAL]
 #11756 FORD, JOHN J
 Group: /143907 (86124) *QVEH CK01D T/CK01D
 ,LIC:W88GVD VIN: STA
 TE:FL LIY:05 LIT:PC TAV:

/143011
 /143011
 /143957 (11391) ONSCNE C906
 /145732 CHANGE LOC: TALBOT/COLONIAL --> COLONIAL AV/TALBOT A
 V ,DO,
 TYP: TSTOP --> ARREST,
 RSP: P --> PW,
 PRI: 9 --> 7,
 BLK: --> 0343801

/145739 CLEAR C906
 /150834 ASSTOS C411D [COLONIAL AV/TALBOT AV ,DO]
 #11743 TAXTER, LUCAS E
 /152949 CLEAR CT55D
 /171310 (90272) CLEAR CK01D DSP: RPT - REPORT
 /184938 CLEAR C411D

/143011

/143011

/143011

/143011

/143011

/143011

/143011

/143011

/143011

/143011

/143011

/143011

/143011

/143011

EXHIBIT G

***** WARNING ***** WARNING *****

THIS INFORMATION IS CORI. IT IS NOT SUPPORTED BY FINGERPRINTS.
PLEASE CHECK THAT THE NAME REFERENCED BELOW MATCHES THE NAME AND DATE OF BIRTH*
OF THE PERSON REQUESTED.

COMMONWEALTH OF MASSACHUSETTS
CRIMINAL HISTORY SYSTEMS BOARD

*** PERSONS COURT SUMMARY ***

AM: REYES, REYLANDO FORMAL-NAM: ROLAND PCF: 00000712898
OB: 05/13/69 SEX: M RAC: B POB: BOSTON SSN: 012467773
OM: SHIRLEY RISE POP: DANIEL ROSS HGT: 600 WGT: 180 HAI: BLK EYE: BRO
DDRESS: 76 GREENWOOD ST #1 DORCHESTER MA

LIAS:

NAM: RISE, REYLANDO
FORMAL-NAM: ROLAND
DOB: 05/13/66 SEX: M RAC:

LIAS:

NAM: RISE, RAYNALDO
FORMAL-NAM: REYNOLD
DOB: 05/13/69 SEX: M RAC:

LIAS:

NAM: RISE, RAYLANDO
FORMAL-NAM: RAYLANDO
DOB: 05/13/69 SEX: M RAC:
POB: BOSTON SSN: 000000000
MOM: SHIRLEY
POP: DANIEL
ADDRESS: 76 GREENWOOD STREET DORCHESTER MA

LIAS:

NAM: RISE, RAY
FORMAL-NAM: RAYMOND
DOB: 05/13/69 SEX: M RAC:
ADDRESS: 76 GREENWOOD ST DORCHESTER

**** ***** ADULT APPEARANCES *****

RAIGNMENT: (001)

ARG-DATE: 02/28/05 PD: BOS COURT: DORCHESTER DISTRICT
OFF: OPERATING AFTER SUSPEND LIC
DISP: C 4/26/05

085

DKT#: 0507CR1252A
114B-SUS
STATUS: O WPD:

RRAIGNMENT: (002)
 ARG-DATE: 02/28/05 PD: BOS COURT: DORCHESTER DISTRICT DKT#: 0507CR1252B
 OFF: POSS FIREARM W/O PERMIT FIR POSS WO PERM
 DISP: C 4/26/05 STATUS: O WPD:

RRAIGNMENT: (003)
 ARG-DATE: 02/28/05 PD: BOS COURT: DORCHESTER DISTRICT DKT#: 0507CR1252C
 OFF: POSS CLASS D CONT SUB CSA POSS D
 DISP: C 4/26/05 STATUS: O WPD:

RRAIGNMENT: (004)
 ARG-DATE: 02/28/05 PD: BOS COURT: DORCHESTER DISTRICT DKT#: 0507CR1252D
 OFF: POSS TO DISTRIBUTE CLASS B CSA POSS DIST B
 DISP: C 4/26/05 STATUS: O WPD:

RRAIGNMENT: (005)
 ARG-DATE: 02/28/05 PD: BOS COURT: DORCHESTER DISTRICT DKT#: 0507CR1252E
 OFF: USE WITHOUT AUTHORITY 114A
 DISP: C 4/26/05 STATUS: O WPD:

RRAIGNMENT: (006)
 ARG-DATE: 03/25/02 PD: BOS COURT: DORCHESTER DISTRICT DKT#: 0207CR1890A
 OFF: RESISTING ARREST RESIST ARST
 DISP: C 5/15/02 DISM STATUS: C WPD:

RRAIGNMENT: (007)
 ARG-DATE: 03/25/02 PD: BOS COURT: DORCHESTER DISTRICT DKT#: 0207CR1890B
 OFF: OPERATING AFTER SUSPEND LIC 114B-SUS
 DISP: C 5/15/02 G 60DA SS 5/15/03 VWF VN 5/28/03 DF 10/6 STATUS: C WPD:
 03 D/R TERM & DISCH

RRAIGNMENT: (008)
 ARG-DATE: 02/23/01 PD: BOS COURT: WEST ROXBURY DISTRICT DKT#: 0106CR0539A
 OFF: OPERATING AFTER SUSPEND LIC 114B-SUS
 DISP: C 3/16/01 G 10DA CMTD STATUS: C WPD:

RRAIGNMENT: (009)
 ARG-DATE: 03/02/98 PD: BOS COURT: DORCHESTER DISTRICT DKT#: 9807CR1624A
 OFF: POSS CLASS D CONT SUB CSA POSS D
 DISP: C JT 6/16/98 DISM STATUS: C WPD:

RRAIGNMENT: (010)
 ARG-DATE: 03/02/98 PD: BOS COURT: DORCHESTER DISTRICT DKT#: 9807CR1624B

RRAIGNMENT: (011)

ARG-DATE: 09/13/96 PD: BOS COURT: SUFFOLK SUPERIOR
OFF: POSS CLASS D CONT SUB W/I
DISP: 2YR-1DA MCICJ CONC

DKT#: 9610152
CSA POSS D
STATUS: C WPD:

RRAIGNMENT: (012)

ARG-DATE: 12/22/95 PD: BOS COURT: SUFFOLK SUPERIOR
OFF: DISTRIBUTE/DISPENSE CLASS B UNL SCHOOL ZONE
DISP: C 9/16/96 2YR-1DA MCICJ F&A VWF DAF

DKT#: 9511673001
CSA DIST B
STATUS: C WPD:

RRAIGNMENT: (013)

ARG-DATE: 12/22/95 PD: BOS COURT: SUFFOLK SUPERIOR
OFF: DISTRIBUTE/DISPENSE CLASS B UNL 2ND OFFENSE
DISP: C 9/16/96 1DA HC CMTD

DKT#: 9511673002
CSA DIST B
STATUS: C WPD:

RRAIGNMENT: (014)

ARG-DATE: 10/11/95 PD: BOS COURT: DORCHESTER DISTRICT
OFF: DISTRIBUTING CONT SUB DRUGS SCHOOL ZONE
DISP: C 11/16/95 (JT@6) DISM INDICT

DKT#: 9507CR7353A
CSA DIST
STATUS: C WPD:

RRAIGNMENT: (015)

ARG-DATE: 10/11/95 PD: BOS COURT: DORCHESTER DISTRICT
OFF: DISTRIBUTE/DISPENSE CLASS B
DISP: C 11/16/95 (JT@6) DISM INDICT

DKT#: 9507CR7353B
CSA DIST B
STATUS: C WPD:

RRAIGNMENT: (016)

ARG-DATE: 10/11/95 PD: BOS COURT: DORCHESTER DISTRICT
OFF: DISTRIBUTE/DISPENSE CLASS B SUBSQ OFFENSE
DISP: C 11/16/95 (JT@6) DISM INDICT

DKT#: 9507CR7353C
CSA DIST B
STATUS: C WPD:

RRAIGNMENT: (017)

ARG-DATE: 08/31/95 PD: BOS COURT: DORCHESTER DISTRICT
OFF: POSS CONTROLLED SUBS W/I DIST W/I SCHOOL
DISP: C 2/8/96 (JT@6) DISM INDICT

DKT#: 9507CR5916A
CSA POSS DIST
STATUS: C WPD:

RRAIGNMENT: (018)

ARG-DATE: 08/31/95 PD: BOS COURT: DORCHESTER DISTRICT
OFF: POSS TO DISTRIBUTE CLASS D
DISP: C 2/8/96 (JT@6) DISM INDICT

DKT#: 9507CR5916B
CSA POSS DIST D
STATUS: C WPD:

RRAIGNMENT: (019)

ARG-DATE: 08/31/95 PD: BOS COURT: DORCHESTER DISTRICT
 OFF: POSS CLASS D CONT SUB
 DISP: C 2/8/96 (JT@6) DISM INDICT

DKT#: 9507CR5916C
 CSA POSS D
 STATUS: C WPD:

RRAIGNMENT: (020)

ARG-DATE: 07/27/95 PD: BOS COURT: DORCHESTER DISTRICT
 OFF: MFG CLASS B CONT SUB
 DISP: C 2/8/96 (JT@6) DISM INDICT

DKT#: 9507CR5467A
 CSA MFG B
 STATUS: C WPD:

RRAIGNMENT: (021)

ARG-DATE: 07/27/95 PD: BOS COURT: DORCHESTER DISTRICT
 OFF: POSS CLASS D CONT SUB W/INT
 DISP: C 2/8/96 (JT@6) DISM INDICT

DKT#: 9507CR5467B
 CSA POSS D
 STATUS: C WPD:

RRAIGNMENT: (022)

ARG-DATE: 05/24/95 PD: SPH COURT: BOSTON DISTRICT
 OFF: OPERATING AFTER SUSPEND LIC
 DISP: C 8/2/95 7DA CMTD

DKT#: 9501CR3897A
 114B-SUS
 STATUS: C WPD:

RRAIGNMENT: (023)

ARG-DATE: 05/24/95 PD: SPH COURT: BOSTON DISTRICT
 OFF: KNOWINGLY REC STOLEN PROP CRDT CARD
 DISP: C 8/2/95 DISM

DKT#: 9501CR3897C
 RSG
 STATUS: C WPD:

RRAIGNMENT: (024)

ARG-DATE: 05/24/95 PD: SPH COURT: BOSTON DISTRICT
 OFF: CREDIT CARD MISUSE OBT GDS FLS CC MORE CRDT CARD
 DISP: C 8/2/95 DISM

DKT#: 9501CR3897D
 STATUS: C WPD:

RRAIGNMENT: (025)

ARG-DATE: 07/11/94 PD: BOS COURT: SUFFOLK SUPERIOR
 OFF: ASSAULT TO KILL ARM
 DISP: C 8/5/94 12/19/94 DISM

DKT#: 9411020001
 ASLT KILL
 STATUS: C WPD:

RRAIGNMENT: (026)

ARG-DATE: 07/11/94 PD: BOS COURT: SUFFOLK SUPERIOR
 OFF: A&B DANGEROUS WEAPON
 DISP: C 8/5/94 12/19/94 DISM

DKT#: 9411020002
 A&B DW
 STATUS: C WPD:

088

RRAIGNMENT: (027)

RRAIGNMENT: (028)

ARG-DATE: 07/11/94 PD: BOS COURT: SUFFOLK SUPERIOR DKT#: 9411020004
OFF: POSS OF FIREARM NOT HME/WRK NO LIC FIR POSS
DISP: C 8/5/94 12/19/94 DISM STATUS: C WPD:

RRAIGNMENT: (029)

ARG-DATE: 06/20/94 PD: BOS COURT: DORCHESTER DISTRICT DKT#: 9407CR3626A
OFF: A&B DANGEROUS WEAPON A&B DW
DISP: WAR 6/27/94 W/WD C 7/8/94 DISM INDICT STATUS: C WPD:

RRAIGNMENT: (030)

ARG-DATE: 06/20/94 PD: BOS COURT: DORCHESTER DISTRICT DKT#: 9407CR3626B
OFF: ASSAULT TO KILL ASLT KILL
DISP: WAR 6/27/94 W/WD C 7/8/94 DISM INDICT STATUS: C WPD:

RRAIGNMENT: (031)

ARG-DATE: 11/22/93 PD: BOS COURT: BOSTON MUNICIPAL JURY OF DKT#: 932165A
OFF: OPERATING AFTER REVOKE LICENSE 114B-REV
DISP: C 12/17/93 FINE \$500/CMNTY SRV 6/15/94 (@8 1501A)6 STATUS: C WPD:
15/94 DF 11/22/94 DR 3/3/95 DF 10/11/95 DR DISM

RRAIGNMENT: (032)

ARG-DATE: 11/22/93 PD: COURT: BOSTON MUNICIPAL JURY OF DKT#: 932165B
OFF: TRUE NAME VIOLATION TRUE NM LAW
DISP: C 12/17/93 FILE (@8 1501B) STATUS: C WPD:

RRAIGNMENT: (033)

ARG-DATE: 07/19/93 PD: COURT: BRIGHTON DISTRICT DKT#: 9308CR1501A
OFF: OPERATING AFTER REVOKE LICENSE 114B-REV
DISP: C 8/20/93 9/22/93 10/21/93 11/26/93 FJ 11/2/94 W/R STATUS: C WPD:
10/11/95 DISM

RRAIGNMENT: (034)

ARG-DATE: 07/19/93 PD: COURT: BRIGHTON DISTRICT DKT#: 9308CR1501B
OFF: TRUE NAME VIOLATION TRUE NM LAW
DISP: C 8/20/93 9/22/93 10/21/93 11/26/93 FJ 11/2/94 W/R STATUS: C WPD:
10/11/95 DISM

RRAIGNMENT: (035)

ARG-DATE: 02/03/92 PD: COURT: DORCHESTER DISTRICT DKT#: 9207CR0931A
OFF: ASSAULT TO KILL ASLT KILL
DISP: WAR 12/16/92 WAR/WD C 12/24/92 DISM STATUS: C WPD:

RRAIGNMENT: (036)

ARG-DATE: 02/03/92 PD: COURT: DORCHESTER DISTRICT
OFF: A&B DANGEROUS WEAPON HAND GUN
DISP: WAR 12/16/92 WAR/WD C 12/24/92 DISM

DKT#: 9207CR0931B
A&B DW
STATUS: C WPD:

RRAIGNMENT: (037)

ARG-DATE: 02/03/92 PD: COURT: DORCHESTER DISTRICT
OFF: POSS OF FIREARM NOT HOME WORK LIC
DISP: WAR 12/16/92 WAR/WD C 12/24/92 DISM

DKT#: 9207CR0931C
FIR POSS
STATUS: C WPD:

RRAIGNMENT: (038)

ARG-DATE: 02/03/92 PD: COURT: DORCHESTER DISTRICT
OFF: DISCHARGING A FIREARM 500' OF BUILDING
DISP: WAR 12/16/92 WAR/WD C 12/24/92 DISM

DKT#: 9207CR0931D
FIR DISCH
STATUS: C WPD:

RRAIGNMENT: (039)

ARG-DATE: 02/03/92 PD: COURT: DORCHESTER DISTRICT
OFF: ASSAULT DANGEROUS WEAPON HAND GUN
DISP: WAR 12/16/92 WAR/WD C 12/24/92 DISM

DKT#: 9207CR0931E
ASLT DW
STATUS: C WPD:

RRAIGNMENT: (040)

ARG-DATE: 02/03/92 PD: COURT: DORCHESTER DISTRICT
OFF: THREATENING
DISP: WAR 12/16/92 WAR/WD C 12/24/92 DISM

DKT#: 9207CR0931F
THREAT
STATUS: C WPD:

RRAIGNMENT: (041)

ARG-DATE: 12/31/91 PD: COURT: DORCHESTER DISTRICT
OFF: USE WITHOUT AUTHORITY
DISP: C 3/10/92 G 6MO CMTD

DKT#: 9107CR9797A
114A
STATUS: C WPD:

RRAIGNMENT: (042)

ARG-DATE: 12/31/91 PD: COURT: DORCHESTER DISTRICT
OFF: OPERATING AFTER SUSPEND LIC
DISP: C 3/10/92 G FILE

DKT#: 9107CR9797B
114B-SUS
STATUS: C WPD:

RRAIGNMENT: (043)

ARG-DATE: 12/31/91 PD: COURT: DORCHESTER DISTRICT
OFF: OPER TO END (LIVES&SAFTEY)
DISP: C 3/10/92 G FILE

DKT#: 9107CR9797D
112A
STATUS: C WPD:

RAIGNMENT: (044)
ARG-DATE: 12/19/91 PD: COURT: DORCHESTER DISTRICT DKT#: 9107CR9512A
OFF: POSS CLASS B CONT SUB CSA POSS B
DISP: C 3/10/92 G FILE STATUS: C WPD:

RAIGNMENT: (045)
ARG-DATE: 12/19/91 PD: COURT: DORCHESTER DISTRICT DKT#: 9107CR9512B
OFF: CONTRIBUTING TO DELIQUENCY CHILD CONTR DEL
DISP: C 3/10/92 DISM STATUS: C WPD:

RAIGNMENT: (046)
ARG-DATE: 12/19/91 PD: COURT: DORCHESTER DISTRICT DKT#: 9107CR9512C
OFF: OPERATING AFTER SUSPEND LIC 114B-SUS
DISP: C 3/10/92 G FILE STATUS: C WPD:

RAIGNMENT: (047)
ARG-DATE: 10/16/91 PD: COURT: DORCHESTER DISTRICT DKT#: 9107CR7593A
OFF: DISTRIBUTE/DISPENSE CLASS B SCHOOL ZONE CSA DIST B
DISP: C 12/11/91 DISM STATUS: C WPD:

RAIGNMENT: (048)
ARG-DATE: 10/16/91 PD: COURT: DORCHESTER DISTRICT DKT#: 9107CR7593B
OFF: DISTRIBUTE/DISPENSE CLASS B SCHOOL ZONE CSA DIST B
DISP: C 3/10/92 DISM STATUS: C WPD:

RAIGNMENT: (049)
ARG-DATE: 10/16/91 PD: COURT: DORCHESTER DISTRICT DKT#: 9107CR7593C
OFF: MFG CLASS B CONT SUB CSA MFG B
DISP: C 12/11/91 DISM STATUS: C WPD:

RAIGNMENT: (050)
ARG-DATE: 10/16/91 PD: COURT: DORCHESTER DISTRICT DKT#: 9107CR7593D
OFF: MFG CLASS D CONT SUB CSA MFG D
DISP: C 12/11/91 G 2YR SS 12/11/94 VWF 1/28/92 R/R 2YR STATUS: C WPD:
CMTD

RAIGNMENT: (051)
ARG-DATE: 01/10/91 PD: COURT: SUFFOLK SUPERIOR DKT#: 093080
OFF: POSS OF FIREARM WO ID (PISTOL) FIR POSS
DISP: 2/13/91 SPS (1YR) 4/1/92 SURR CMTD STATUS: C WPD:

RAIGNMENT: (052)
ARG-DATE: 01/10/91 PD: COURT: SUFFOLK SUPERIOR DKT#: 093081
OFF: POSS OF AMMUNITION WO ID POSS AMMO

RRAIGNMENT: (053)

ARG-DATE: 01/10/91 PD: COURT: SUFFOLK SUPERIOR
OFF: POSS ALTERED FIREARM DEFACED
DISP: 2/13/91 SPS (1YR) 4/1/92 SURR CMTD

DKT#: 093082
FIR POSS ALT
STATUS: C WPD:

RRAIGNMENT: (054)

ARG-DATE: 09/18/90 PD: COURT: SUFFOLK SUPERIOR
OFF: A&B DANGEROUS WEAPON
DISP: C 2/13/91 SPS (1YR) 2/12/93 \$50.00 VWF
4/1/92 CMTD

DKT#: 090649
A&B DW
STATUS: C WPD:

RRAIGNMENT: (055)

ARG-DATE: 09/18/90 PD: COURT: SUFFOLK SUPERIOR
OFF: CARRYING DANGEROUS WEAPON
DISP: C 2/13/91 SPS (1YR) 2/12/93
4/1/92 CMTD

DKT#: 090650
DWC
STATUS: C WPD:

RRAIGNMENT: (056)

ARG-DATE: 09/10/90 PD: COURT: DORCHESTER DISTRICT
OFF: POSS FIREARM W/O PERMIT
DISP: C 10/30/90 DISM INDICT

DKT#: 9007CR7345A
FIR POSS WO PERM
STATUS: C WPD:

RRAIGNMENT: (057)

ARG-DATE: 09/10/90 PD: COURT: DORCHESTER DISTRICT
OFF: POSS ALTERED FIREARM
DISP: C 10/30/90 DISM INDICT

DKT#: 9007CR7345B
FIR POSS ALT
STATUS: C WPD:

RRAIGNMENT: (058)

ARG-DATE: 09/10/90 PD: COURT: DORCHESTER DISTRICT
OFF: POSS OF AMMUNITION
DISP: C 10/30/90 C 12/4/90 DISM INDICT

DKT#: 9007CR7345C
POSS AMMO
STATUS: C WPD:

RRAIGNMENT: (059)

ARG-DATE: 08/22/90 PD: COURT: DORCHESTER DISTRICT
OFF: A&B DANGEROUS WEAPON
DISP: WAR 9/10/90 WAR/WD C 10/10/90 DISM & IND

DKT#: 9007CR6865A
A&B DW
STATUS: C WPD:

RRAIGNMENT: (060)

ARG-DATE: 08/22/90 PD: COURT: DORCHESTER DISTRICT
OFF: ASSAULT TO KILL
DISP: WAR 9/10/90 WAR/WD C 10/10/90 DISM & IND

DKT#: 9007CR6865B
ASLT KILL
STATUS: C WPD:

RRAIGNMENT: (061)
ARG-DATE: 05/29/90 PD: COURT: ROXBURY DISTRICT DKT#: 9002CR4335A
OFF: ASSAULT DANGEROUS WEAPON GUN ASLT DW
DISP: C 11/26/90 DF WAR 9/25/91 D/R C 11/12/91 STATUS: C WPD:
DISM

RRAIGNMENT: (062)
ARG-DATE: 03/08/90 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 901342
OFF: A&B DANGEROUS WEAPON A&B DW
DISP: DF D/R DF D/R C 5/31/91 2MO CMTD (@7 00064A) (9) STATUS: C WPD:

RRAIGNMENT: (063)
ARG-DATE: 03/08/90 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 901343
OFF: A&B ON POLICE OFFICER A&B PO
DISP: DF D/R DF D/R C 5/31/91 2MO CMTD (@7 00064B) STATUS: C WPD:

RRAIGNMENT: (064)
ARG-DATE: 03/08/90 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 901344
OFF: A&B ON POLICE OFFICER A&B PO
DISP: DF D/R DF D/R C 5/31/91 2MO CMTD VWF (@7 00064C) STATUS: C WPD:

RRAIGNMENT: (065)
ARG-DATE: 03/08/90 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 901345
OFF: DISORDERLY PERSON DIS PERS
DISP: WAR WAR/WD WAR WAR/WD C 5/31/91 2MO CMTD (@7 0006 STATUS: C WPD:
4D)

RRAIGNMENT: (066)
ARG-DATE: 01/03/90 PD: COURT: DORCHESTER DISTRICT DKT#: 9007CR00064A
OFF: A&B DANGEROUS WEAPON A&B DW
DISP: C 2/16/90 FJ STATUS: C WPD:

RRAIGNMENT: (067)
ARG-DATE: 01/03/90 PD: COURT: DORCHESTER DISTRICT DKT#: 9007CR00064B
OFF: A&B ON POLICE OFFICER A&B PO
DISP: C 2/16/90 FJ STATUS: C WPD:

RRAIGNMENT: (068)
ARG-DATE: 01/03/90 PD: COURT: DORCHESTER DISTRICT DKT#: 9007CR00064C
OFF: A&B ON POLICE OFFICER A&B PO
DISP: C 2/16/90 FJ STATUS: C WPD:

RRAIGNMENT: (069)
ARG-DATE: 01/03/90 PD: COURT: DORCHESTER DISTRICT DKT#: 9007CR00064D

OFF: DISORDERLY PERSON

DISP: C 2/16/90 FJ

Case 1:05-cr-10113-DPW

Document 43-4

Filed 04/14/2006

DIS PERS

Page 16 of 22

STATUS: C WPD:

RRAIGNMENT: (070)

ARG-DATE: 12/19/88 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 876255

OFF: KNOWINGLY REC STOLEN PROP MV RSG

DISP: C 12/19/88 2YR SS 1YR CMTD 12/18/91 (@7 7770) STATUS: C WPD:
TERM

RRAIGNMENT: (071)

ARG-DATE: 12/19/88 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 887960

OFF: ASSAULT DANGEROUS WEAPON ASLT DW

DISP: C 9/7/88 FILE (@7 9243A) STATUS: C WPD:

RRAIGNMENT: (072)

ARG-DATE: 12/19/88 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 887961

OFF: POSS CLASS D CONT SUB CSA POSS D

DISP: C 12/7/88 FILE (@7 9243B) STATUS: C WPD:

RRAIGNMENT: (073)

ARG-DATE: 12/16/88 PD: BOS COURT: WEST ROXBURY DISTRICT DKT#: 8806CR6935A

OFF: LARCENY LESS PROP LAR LESS

DISP: DF 2/23/01 D/R C 3/16/01 DISM STATUS: C WPD:

RRAIGNMENT: (074)

ARG-DATE: 11/25/88 PD: COURT: DORCHESTER DISTRICT DKT#: 8807CR10720A

OFF: DISORDERLY PERSON DIS PERS

DISP: C 3/7/89 DISM STATUS: C WPD:

RRAIGNMENT: (075)

ARG-DATE: 11/25/88 PD: COURT: DORCHESTER DISTRICT DKT#: 8807CR10720B

OFF: THREATENING THREAT

DISP: C 3/7/89 DISM STATUS: C WPD:

RRAIGNMENT: (076)

ARG-DATE: 11/01/88 PD: COURT: DORCHESTER DISTRICT DKT#: 8807CR9898A

OFF: DISORDERLY PERSON DIS PERS

DISP: C 12/8/88 CC PAID & DISM STATUS: C WPD:

RRAIGNMENT: (077)

ARG-DATE: 10/13/88 PD: COURT: DORCHESTER DISTRICT DKT#: 8807CR9243A

OFF: ASSAULT DANGEROUS WEAPON ASLT DW

DISP: C 12/8/88 FJ STATUS: C WPD:

094

RRAIGNMENT: (078)

ARG-DATE: 10/13/88 PD: COURT: DORCHESTER DISTRICT DKT#: 8807CR9243B
 OFF: POSS CLASS D CONT SUB CSA POSS D
 DISP: C 12/8/88 FJ STATUS: C WPD:

RRAIGNMENT: (079)

ARG-DATE: 09/20/88 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 885934
 OFF: POSS TO DISTRIBUTE CLASS D CSA POSS DIST D
 DISP: C 12/19/88 2YR CMTD (7 4834A) STATUS: C WPD:

RRAIGNMENT: (080)

ARG-DATE: 09/20/88 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 886021
 OFF: POSS OF AMMUNITION POSS AMMO
 DISP: C 12/19/88 FILE (7 3787B) STATUS: C WPD:

RRAIGNMENT: (081)

ARG-DATE: 09/20/88 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 886310
 OFF: KNOWINGLY REC STOLEN PROP MV RSG
 DISP: C 12/19/88 2YR CMTD (7 2572) STATUS: C WPD:

RRAIGNMENT: (082)

ARG-DATE: 09/20/88 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 886498
 OFF: POSS OF AMMUNITION POSS AMMO
 DISP: C 12/19/88 DISM (7 3787A) STATUS: C WPD:

RRAIGNMENT: (083)

ARG-DATE: 06/07/88 PD: COURT: DORCHESTER DISTRICT DKT#: 8807CR3787A
 OFF: POSS OF AMMUNITION POSS AMMO
 DISP: C 8/30/88 FJ STATUS: C WPD:

RRAIGNMENT: (084)

ARG-DATE: 06/06/88 PD: COURT: DORCHESTER DISTRICT DKT#: 8807CR4834A
 OFF: POSS TO DISTRIBUTE CLASS D CSA POSS DIST D
 DISP: C 8/30/88 FJ STATUS: C WPD:

RRAIGNMENT: (085)

ARG-DATE: 04/05/88 PD: COURT: DORCHESTER DISTRICT DKT#: 8807CR2572A
 OFF: KNOWINGLY REC STOLEN PROP MV RSG
 DISP: C 8/30/88 G 2YRS CMTD APP STATUS: C WPD:

095

RRAIGNMENT: (086)

ARG-DATE: 12/01/87 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 876255
OFF: KNOWINGLY REC STOL PROP MV RSG
DISP: C 12/19/88 2YR SPS 1YR CMTD PROB 3/6/91 (@7 7770) STATUS: C WPD:
TERM

RRAIGNMENT: (087)

ARG-DATE: 10/20/87 PD: COURT: DORCHESTER DISTRICT DKT#: 8707CR7770A
OFF: KNOWINGLY REC STOLEN PROP MV RSG
DISP: C 11/17/87 SPS 1YR CMTD 11/16/88 APP STATUS: C WPD:
C 3/6/91 TERM

RRAIGNMENT: (088)

ARG-DATE: 02/05/87 PD: COURT: DORCHESTER DISTRICT DKT#: 87CR0775
OFF: POSS TO DISTRIBUTE CLASS D CSA POSS DIST D
DISP: DF 11/17/87 D/R NG STATUS: C WPD:

RRAIGNMENT: (089)

ARG-DATE: 02/03/87 PD: COURT: DORCHESTER DISTRICT DKT#: 87CRO775
OFF: POSS DANGEROUS WEAPON POSS DW
DISP: C 3/26/87 D/R NG STATUS: C WPD:

RRAIGNMENT: (090)

ARG-DATE: 12/22/86 PD: COURT: BOSTON MUNICIPAL JURY OFDKT#: 866959
OFF: POSS TO DISTRIBUTE CLASS D CSA POSS DIST D
DISP: C 2/12/87 SPS 45DA CMTD 2/9/89 (@7 86-7545) 12/8/88 STATUS: C WPD:
CMTD

RRAIGNMENT: (091)

ARG-DATE: 11/10/86 PD: COURT: DORCHESTER DISTRICT DKT#: 86CR7545
OFF: POSS TO DISTRIBUTE CLASS D W/I CSA POSS DIST D
DISP: C 12/8/86 G 1YR CMTD APP STATUS: C WPD:

**** ***** ***** ***** END OF ADULT APPEARANCES ***** ***** *****

EQUESTED BY: DECAMPBELL
COMPLETED BY: CAMPBELL, DANIEL
AGENCY: US ATF - BOSTON

FBI
ND.>-<
JIS 649679 03/25/2005 1503 S0753/6028.

L.
R.WVFBINF00
3:05 03/25/2005 15176
3:05 03/25/2005 10761 MAATFBSS0

XT
DR/2L01
TN/RUDNICKI

***** CRIMINAL HISTORY RECORD *****

ata As Of 2005-03-25

***** INTRODUCTION *****

his rap sheet was produced in response to the following request:

BI Number 232201LA0
urpose Code C
ttention RUDNICKI

he information in this rap sheet is subject to the following caveats:

his record is based only on the FBI number in your request-232201LA0.
ecause additions or deletions may be made at any time, a new copy
ould be requested when needed for subsequent use. (US; 2005-03-25)
ll arrest entries contained in this FBI record are based on
ingerprint comparisons and pertain to the same individual. (US;
005-03-25)
he use of this record is regulated by law. It is provided for official
se only and may be used only for the purpose requested. (US;
005-03-25)

***** IDENTIFICATION *****

ubject Name(s)

EYES, REYLANDO
EYNALDO, RISE (AKA)
EYES, REYNALDO (AKA)
ISE, RAY (AKA)
ISE, REYLANDO (AKA)
ISE, RAYLANDO (AKA)
ISE, RAYNALDO (AKA)

ubject Description

BI Number
32201LA0
ocial Security Number
12467773

ex Race
ale Black

eight Weight Date of Birth
'00" 175 Pounds 1969-05-13

097

cars, Marks, and Tattoos

ode	Description, Comment
CIC	SC R ARM; SCAR ON RIGHT ARM (WVFBINF00)
CIC	SC BACK; SCAR ON BACK (WVFBINF00)
CIC	SC UR ARM; SCAR ON UPPER RIGHT ARM (WVFBINF00)

lace of Birth

A

hoto Images

ype	Description, Comment
ther	Arresting agency has photo associated with arrest date of 1990/01/01 (MA0130100)
ther	Arresting agency has photo associated with arrest date of 1996/09/16 (MA009015C)
ther	Arresting agency has photo associated with arrest date of 2002/03/25 (MA0130100)
ther	Arresting agency has photo associated with arrest date of 2003/10/04 (MA0130100)
ther	FBI has one photo associated with arrest date of 2003/10/04 (WVFBINF00)
ther	Arresting agency has photo associated with arrest date of 2005/02/27 (MA0130100)
ther	FBI has one photo associated with arrest date of 2005/02/27 (WVFBINF00)

***** CRIMINAL HISTORY *****

===== Cycle 001 =====

arliest Event Date	1990-01-01
rrrest Date	1990-01-01
rrrest Case Number	349718
rrresting Agency	POLICE DEPARTMENT BOSTON; MA0130100;
ubject's Name	REYES, REYLANDO
harge	01
Charge Description	AB DW
Severity	Unknown

===== Cycle 002 =====

arliest Event Date	1996-09-16
rrrest Date	1996-09-16
rrrest Case Number	W61271
rrresting Agency	MA CORR INST WEST CONCORD; MA009015C;
ubject's Name	REYES, REYNALDO (AKA)
harge	01
Charge Description	UNLAWFUL DIST OF CLASS B CONTROLLED SUBST
Severity	Unknown

098

court Disposition (Cycle 002)

NOT-KNOWN

Charge Description UNLAWFUL DIST OF CLASS B CONTROLLED SUBST
Severity Unknown

Sentence 2 YEARS AND 1 DAY CONVICTION/CONFINEMENT

Cycle 003
Earliest Event Date 2002-03-25

Arrest Date 2002-03-25
Arrest Case Number 1993119172
Arresting Agency POLICE DEPARTMENT BOSTON; MA0130100;
Subject's Name REYES, REYLANDO
Charge Description OPERATING AFTER REVOCATION OR SUSPENSION
Severity Unknown
Charge Description FAILURE TO STOP FOR A POLICE OFFICER
Severity Unknown
Charge Description RESISTING ARREST
Severity Unknown

Cycle 004
Earliest Event Date 2003-10-04

Arrest Date 2003-10-04
Arrest Case Number 1993119172
Arresting Agency POLICE DEPARTMENT BOSTON; MA0130100;
Subject's Name REYES, REYLANDO
Charge Description OPERATING AFTER REVOCATION OR SUSPENSION
Severity Unknown
Charge Description RESISTING ARREST
Severity Unknown
Charge Description FAILURE TO STOP FOR A POLICE OFFICER
Severity Unknown

Cycle 005
Earliest Event Date 2005-02-27

Arrest Date 2005-02-27
Arrest Case Number 1993119172
Arresting Agency POLICE DEPARTMENT BOSTON; MA0130100;
Subject's Name REYES, REYLANDO
Charge Description OPERATING AFTER REVOCATION OR SUSPENSION
Severity Unknown
Charge Description POSSESSION OF CLASS B, DRUGS
Severity Unknown
Charge Description
Severity Unknown

Charge	Severity	04
Charge Description		POSSESSION OF CLASS D, DRUGS
Severity		Unknown
Charge	Severity	05
Charge Description		POSSESSION W/I TO DISTRIBUTE, CLASS B, DRUGS
Severity		Unknown

***** INDEX OF AGENCIES *****

Agency
Mailing Address
FBI-CJIS DIV-CLRKSBG CLARKSBURG; WVFBINF00;
1000 CUSTER HOLLOW RD
CLARKSBURG, WV 26306

Agency
Mailing Address
POLICE DEPARTMENT BOSTON; MA0130100;
ROOM 149-SOUTH 1 SCHROEDER PLAZA
BOSTON, MA 021202014

Agency
Mailing Address
MA CORR INST WEST CONCORD; MA009015C;
965 ELM STREET PO BOX 9106
WEST CONCORD, MA 017429106

* * END OF RECORD * * *

Document removed due to personal identifiers.